

FISCAL NOTE

SB 2668 - HB 2862

February 16, 2000

SUMMARY OF BILL: Creates a criminal offense regarding *counterfeit mark* defined as unauthorized reproduction or copy of intellectual property or unauthorized intellectual property affixed to any item or identifying services. Knowingly manufacturing any item or services bearing or identified by a counterfeit mark would be punished as a Class C felony and a fine three times the value of the item or service. To use, display, advertise, distribute, offer for sale, sell, or possession with intent to sell such items or services would be theft and graded in accordance with present law and punished by fine only. All personal property used in connection with these provisions would be subject to judicial forfeiture.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$27,000/Incarceration*

Increase State Revenues - Not Significant

Increase Local Govt. Revenues - Not Significant

Assumes two Class C felony convictions each year and an increase in state and local government revenues from fines and forfeitures, which is not estimated to be significant.

*Section 9-6-119, TCA, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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